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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 DEON CARTER, an individual, on behalf of
12 himself and all others similarly situated,

13 Plaintiff,

14 v.

15 C&S WHOLESALE GROCERS INC., a
16 Vermont Corporation; TRACY LOGISTICS
17 LLC DBA STOCKTON LOGISTICS LLC, a
18 Delaware Limited Liability Company;; and
19 DOES 1 TO 50,

20 Defendants.

CASE NO. 2:22-cv-02165-KJM-AC

**ORDER GRANTING STIPULATION TO
CONTINUE DEFENDANTS' DEADLINES
TO FILE MOTION TO COMPEL
INDIVIDUAL ARBITRATION AND TO
RESPOND TO THIRD AMENDED
COMPLAINT TO FACILITATE
SETTLEMENT DISCUSSIONS**


ORDER

Having reviewed and considered the Parties' Stipulation To Continue Defendants' Deadlines to File Motion To Compel Individual Arbitration and to Respond to Third Amended Complaint to Facilitate Settlement Discussions (the "Stipulation"), and good cause appearing for the relief requested therein, the Stipulation shall be and hereby is **GRANTED** as follows, using the same defined terms as defined and used in the Stipulation:

1. Defendants' deadline to file their Motion to Compel shall be and hereby is extended by 60 days, to and including August 11, 2023;
2. In the event the Motion to Compel is denied, Defendants' deadline to file their Motion to Dismiss or otherwise file a response to the TAC is enlarged to 30 days after entry of this Court's Order denying the Motion to Compel, if any;
3. By entering into this Stipulation, the Parties do not waive and expressly reserve all claims, defenses, and challenges in this action, including, without limitation, as to arbitration of any putative class member's individual claims and any motion(s) pursuant to Fed. R. Civ. P. 12 as to Plaintiff's TAC and any subsequent amended pleading and/or the claims asserted therein;
4. The Status (Pretrial Scheduling) Conference set for 7/13/2023 is RESET for 9/21/2023 at 2:30 PM, with the filing of a joint status report due fourteen days prior.

IT IS SO ORDERED.

DATED: June 1, 2023.


CHIEF UNITED STATES DISTRICT JUDGE